

10/593459

Docket No.: 043888-0511

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277
Miho GEMBA, et al. : Confirmation Number: Not Yet Assigned
Application No.: Not Yet Assigned : Group Art Unit: Not Yet Assigned
Filed: September 19, 2006 : Examiner: Not Yet Assigned

For: FUEL CELL AND FUEL CELL STACK COMPRISING THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed with the application and no certification or fee is required.

A copy of the foreign search report is attached for the Examiner's information. Please note this is a PCT application in the entry of the National Phase in the U.S. and copies of the references cited were transmitted by WIPO and are believed to be in the file of the above identified application and readily available to the Examiner. Therefore it is believed that Applicants have met all requirements regarding duty of disclosure under 37

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.S./

CFR 1.56. Acknowledgement and consideration of these documents are respectfully requested.

Since the Search Report was from the JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above identified application and readily available to the Examiner. However, to ensure that these references are available to the Examiner, we are providing copies of these references herewith.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

Please recognize our Customer No. 20277
as our correspondence address.

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:sln
Facsimile: 202.756.8087
Date: September 19, 2006

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 043888-0511	SERIAL NO. Not Yet Assigned 10/593459	
				APPLICANT Miho GEMBA, et al.		
				FILING DATE September 19, 2006	GROUP Not Yet Assigned	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ₂ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	US	6,852,440 B1	02/08/2005	Bonsel		
	US	2004/0115509 A1	06/17/2004	Yoshida et al.		
	US	6,042,955	03/28/2000	Okamoto		
FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes-Number & Kind Codes (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation Yes No
		JP 2002-533869 A	10/08/2002	CELANESE VENTURES GMBH		English Abstract Only
		JP 6-260193 A	09/16/1994	MITSUBISHI HEAVY INDUSTRIES LTD		JAPAN (w/ English Abstract)
		JP 6-119930 A	04/28/1994	MITSUBISHI HEAVY INDUSTRIES LTD		JAPAN (w/ English Abstract)
		JP 4-12465 A	01/17/1992	FUJI ELECTRIC CO LTD		JAPAN (w/ English Abstract)
		JP 2004-119121 A	04/15/2004	HONDA MOTOR CO LTD		English Abstract Only
		WO 96/37920 A1	11/28/1996	HONDA MOTOR CO LTD		English Abstract Only
		JP 6-68884 A	03/11/1994	TOSHIBA CORP		JAPAN (w/ English Abstract)
		JP 3-102774 A	04/30/1991	MITSUBISHI HEAVY INDUSTRIES LTD		JAPAN (w/ English Abstract)
		WO 96/00453	01/04/1996	BALLARD POWER SYSTEMS INC		X
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
/Steven Scully/		EXAMINER	DATE CONSIDERED 01/13/2010			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /S.S./